**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928**

**WP(C).No. 17462 of 2006(D)**
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**PETITIONER:**
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**ABDUL HAMEED PARI, S/O. MOHAMMED PARI,**
**KAINATHODI VEEDU, P.O. HAJIYARPALLI,**
**MALAPPURAM.**

**BY ADV. SRI.SIBY MATHEW**
**SRI.PHILIP J.VETTICKATTU**

**RESPONDENTS:**
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1. **THE SECRETARY, PUZHAKKATTIRI GRAMA PANCHAYAT, PUZHAKKATTIRI P.O., MALAPPURAM.**

2. **THE TAHSILDAR, ERANAD TALUK, MALAPPURAM.**

3. **THE DISTRICT COLLECTOR, MALAPPURAM.**

**BY ADV. SMT.S.SIBHA**
**BY GOVERNMENT PLEADER SMT. K.R.DEEPA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

## APPENDIX

**PETITIONER'S EXHIBITS:**

| | |
|---|---|
| **EXT.P1:** | **COPY OF PROCEEDINGS NO.G5-13476/05 DTD. 2/05/2005 ISSUED BY THE 3RD RESPONDENT.** |
| **EXT.P2:** | **COPY OF RESOLUTION DTD. 28/05/2005 PASSED BY THE 1ST RESPONDENT.** |
| **EXT.P3:** | **COPY OF REPORT FORWARDED BY THE 1ST RESPONDENT TO THE VILLAGE OFFICER, PUZHAKKATTIRI GRAMA PANCHAYAT DTD. 25/05/05.** |
| **EXT.P4:** | **COPY OF LETTER DTD. 14/12/2005 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.** |
| **EXT.P5:** | **COPY OF REPRESENTATION DTD. 5/12/05 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.** |
| **EXT.P6:** | **COPY OF LAWYER NOTICE SENT BY THE PETITIONER TO THE 3RD RESPONDENT DTD. 2/02/06.** |
| **EXT.P7:** | **COPY OF LETTER DTD. 14/02/2006 ISSUED FROM THE OFFICE OF THE 3RD RESPONDENT.** |

**/TRUE COPY/**

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**KURIAN JOSEPH J.**

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**W.P(C)No. 17462 of 2006**

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**Dated this the 14th day of February, 2007**

**JUDGMENT**

The writ petition is filed with the following prayers:-

> i. Issue a writ of mandamus commanding the respondents to pay to the petitioner the balance amount of Rs.20,000/- with 12% interest for the water supplied.
>
> ii. Issue a direction that the petitioner is entitled to the balance amount of Rs.20,000/- for the water supplied in Puzhakkattiri Grama Panchayat area pursuant to Exts.P1 to P3.

After having heard counsel on both sides it is fairly clear that the Tahsildar, Perinthalmanna, is to make available the necessary funds out of the funds allotted by the District Collector. Therefore, there will be a direction to the Tahsildar, Perinthalmanna to make available the required funds to the first respondent so as to settle the dues to the petitioner within a period of one month from the date of production of a copy of this judgment. Within another one month the first respondent will settle the dues to the petitioner. The question of interest is left open to be pursued before the civil court in which event the time taken

for prosecuting this writ petition will be excluded while computing the period of limitation.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.